

UNITED STATES DISTRICT COURT
for the
EASTERN DISTRICT OF NORTH CAROLINA

U.S.A. vs. Ruben Chavez

Docket No. 7:16-CR-68-2BO

Petition for Action on Supervised Release

COMES NOW David W. Leake, U.S. Probation Officer of the court, presenting a petition for modification of the Judgment and Commitment Order of Ruben Chavez, who, upon an earlier plea of guilty to Interfering With Commerce by Robbery and Aiding and Abetting, in violation of 18 U.S.C. §§ 1951(a) and 2, was sentenced by the Honorable Terrence W. Boyle, U.S. District Judge, on May 11, 2017, to the custody of the Bureau of Prisons for a term of 20 months. It was further ordered that upon release from imprisonment the defendant be placed on supervised release for a period of 36 months.

Ruben Chavez was released from custody on November 30, 2017, at which time the term of supervised release commenced.

On February 15, 2018, the court ordered that the defendant perform 12 hours of community service and participate in substance abuse treatment, as a result of the drug test conducted on February 8, 2018, that yielded positive results for cocaine.

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:

On March 28, 2018, the defendant committed the offense of Driving While Impaired (18CR52395) in New Hanover County, North Carolina. When confronted on April 3, 2018, he admitted to committing the offense. The defendant related that he did not think he was too intoxicated to drive but readily admitted that it was a significant lapse in judgment. He further admitted that he needs to reevaluate his priorities. Accordingly, the defendant signed a Waiver of Hearing agreeing to have the conditions of his supervision modified to include a 30-day period of Location Monitoring with an established curfew. Additionally, he has been directed to continue participation in substance abuse treatment, and will be taught a cognitive intervention technique to improve his decision making ability.

PRAYING THAT THE COURT WILL ORDER that supervised release be modified as follows:

1. The defendant shall adhere to a curfew as directed by the probation officer for a period not to exceed 30 consecutive days. The defendant is restricted to their residence during the curfew hours. The defendant shall submit to the following Location Monitoring: Radio Frequency monitoring and abide by all program requirements, instructions and procedures provided by the supervising officer.

Except as herein modified, the judgment shall remain in full force and effect.

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Reviewed and approved,

I declare under penalty of perjury that the foregoing
is true and correct.

/s/ Robert L. Thornton
Robert L. Thornton
Supervising U.S. Probation Officer

/s/ David W. Leake
David W. Leake
U.S. Probation Officer
2 Princess Street, Suite 308
Wilmington, NC 28401-3958
Phone: 910-679-2045
Executed On: April 20, 2018

ORDER OF THE COURT

Considered and ordered this 22 day of April, 2018, and ordered filed and
made a part of the records in the above case.

Terrence W. Boyle
Terrence W. Boyle
U.S. District Judge